REMARKS

Claims 1-33 are pending in the present application. In the Final Office Action, claims 1-2, 7-10, 12-13, 18-21, and 25-33 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Walker, et al (U.S. Patent No. 5,771,390). Claims 3 and 14 were rejected under 35 U.S.C. 103(a) as being unpatentable over Walker in view of the admitted prior art. Claims 4-6, 11, 15-17, and 22-24 were rejected under 35 U.S.C. 103(a) as being unpatentable over Walker in view of Angelo, et al (U.S. Patent No. 6,581,162). The Examiner's rejections are respectfully traversed.

Independent claims 1, 12, 25, 28, and 31 set forth, among other things, an indicator configured to indicate when the computer system is in a secure operating mode, a first timer configured to indicate a duration in which the indicator is active, and control logic coupled to receive the duration from the first timer. The control logic is configured to provide a control signal upon the duration reaching a predetermined value.

Walker describes techniques for triggering the transition of a computer from a suspend state to a suspend-to-disk state. In particular, Walker describes setting a real-time clock alarm prior to placing the computer in the suspend state. When the real-time clock alarm expires, the computer system may transition from the suspend state to the suspend-to-disk state. See Walker, col. 5, line 59-col. 6, line 57 and Figure 3. However, as admitted by the Examiner at paragraph 13 on page 8 of the Office Action, Walker does not teach or suggest any operating modes of the computer that include secure operating modes. Accordingly, Walker does not teach or suggest using the real-time clock alarm to determine a duration of a secure operating mode. The Examiner relies upon Angelo to describe a system management mode that may be used to implement a secure operating mode.

Angelo describes techniques for creating, storing, and using encryption keys in a distributed computing environment. In particular, Angelo describes system management interrupts that may be asserted by a system management interrupt timer, by a system requests, or by other means. A system management interrupt active signal may be provided by a processor to indicate operation in a system management mode. See Angelo, col. 7, line 55 – col. 8, line 11. However, Angelo does not (explicitly or inherently) describe or suggest a timer configured to indicate a duration of a secure operating mode. Therefore, the Examiner alleges that it would be obvious to a person of ordinary skill to combine the techniques described in Walker and Angelo so that the real-time clock alarm would be used to determine a duration of a secure operating mode. The Examiner alleges that a person of ordinary skill in the art would be motivated to combine and modify the prior art in this manner to improve computer security memory management.

Applicants respectfully disagree. The Examiner has provided no record support for the conclusory statement that using a real-time clock alarm to determine a duration of a secure operating mode would improve computer security memory management. The prior art of record also fails to provide any suggestion or motivation for the Examiner's proposed combination and modification of the cited references. In particular, the cited references provide no teaching or suggestion in support of the Examiner's conclusory statement that using a real-time clock alarm to determine a duration of a secure operating mode would improve computer security memory management.

Walker is concerned with improving power management in a computer system by using a clock that continues to operate during the suspend state (e.g., the real-time clock) to determine when to transition to the suspend-to-disk state. However, Walker is not concerned with

providing secure modes or, in particular, with determining a duration of a secure mode. Thus, Walker provides no suggestion or motivation for using the real-time clock alarm to determine a duration of a secure operating mode. Angelo is concerned with providing a system management interrupt active signal to indicate operation in a system management mode. However, Angelo is not concerned with durations of the system management mode. Thus, Angelo also fails to provide a suggestion or motivation for using the real-time clock alarm to determine a duration of a secure operating mode.
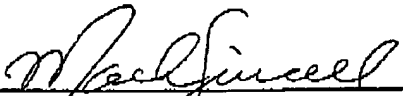
The admitted prior art describes a south bridge and Colvin describes techniques for securing software to reduced unauthorized use. In particular, Colvin describes passwords that authorized software to execute on a computer for a predetermined period of time. However, the secondary references failed to remedy the aforementioned fundamental deficiencies of Walker and Angelo.

For at least the aforementioned reasons, Applicants respectfully submit that the Examiner has failed to make a *prima facie* case that the present invention is obvious over the prior art of record and request that the Examiner's rejections of claims 1-33 under 35 U.S.C. 103(a) be withdrawn.

For the aforementioned reasons, it is respectfully submitted that all claims pending in the present application are in condition for allowance. The Examiner is invited to contact the undersigned at (713) 934-4052 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,

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